

Atty Dkt No. OPF 41  
PATENT



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on 4 March 2002.

March 1, 2002

Date

Signature

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

SMITH et al.

Serial No.: 09/916,166

Art Unit: Unassigned

Filing Date: 26 July 2001

Examiner: Unassigned

Title: PARTICLE CASSETTE, METHOD  
AND KIT THEREFOR

### RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

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ORIGINALLY FILED

Sir:

This is in response to a Notice to File Missing Parts of Application (*Filing Date Granted*), said notice having been mailed 4 September 2001 and having a two month statutory period for response. Accordingly, a four-month extension of time to respond is requested, and the Petition and fee therefor accompanies this paper.

### ACCOMPANYING DOCUMENTS/MATERIALS

Accompanying this Response are the following documents and/or materials: (1) a fully executed Combined Declaration and Power of Attorney; (2) Part 2 of the Notice to

Atty Dkt No. OPF 41  
USSN: 09/916,176  
PATENT

File Missing Parts; (3) a Petition for Extension of Time and fee pursuant to 37 C.F.R. §1.136(a); (4) a Fee Transmittal including the statutory basic filing fee, the fee for additional claims, and the late filing fee pursuant to 37 C.F.R. §1.16(e).

REMARKS

Applicants respectfully request entry of the above-noted documents and materials. In addition, applicants submit that the application is in good order for examination and further that the claims define an invention which is novel and nonobvious over the art. Accordingly, allowance is believed to be in order and an early notification to that effect is earnestly solicited.

Respectfully submitted,

Date: 1 March 2002

By: Thomas P. McCracken  
Thomas P. McCracken  
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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: BOX MISSING PARTS, COMMISSIONER FOR PATENTS, WASHINGTON, D.C., 20231, ON: 4 March 2002

Date: March 1, 2002

By: 

  
MAR 18 2002  
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

SMITH et al.

Application No.: 09/916,176

Group Art Unit: Not Yet Assigned

Filing Date: 26 July 2001

Examiner: Not Yet Assigned

Title: PARTICLE CASSETTE, METHOD AND KIT THEREFOR

**FEE TRANSMITTAL**

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

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ORIGINALLY FILED

Sir:

In reply to the Notice to File Missing Parts of Application, mailed 4 September 2001, applicants hereby enclose the following fees: the Statutory Basic Filing Fee of \$710; the additional claim fees of \$252 for 14 claims over 20; and the late filing fee or oath or declaration surcharge pursuant to 37 C.F.R. 1.16(e) of \$130, for a total balance due of \$1,092.

Please charge the above fees (\$1,092) to Deposit Account 50-0828. Authorization to charge additional fees as may be required with this reply or credit any overpayment to deposit account no. 50-0828 is given.

Respectfully submitted,

1 MARCH 2002

Date

  
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COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/916,176	07/26/2001	Edward R. Smith	OPF 41

O I P E  
MAR 18 2002  
JC34  
PATENT & TRADEMARK OFFICE

Thomas P. McCracken  
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 8511 Dumbarton Circle  
 Fremont, CA 94555

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CONFIRMATION NO. 7106

## FORMALITIES LETTER



\*OC000000006507454\*

Date Mailed: 09/04/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

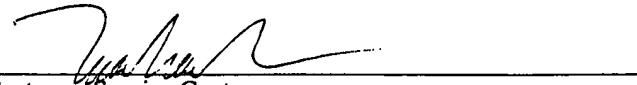
FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$252.
  - \$252 for 14 total claims over 20.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1092.

*A copy of this notice MUST be returned with the reply.*

  
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

## PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/20/2002 SDENBOB1 00000071 500828 09916176

01 FC:101	740.00 CH
02 FC:103	252.00 CH
03 FC:105	130.00 CH